

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WR 2006-0003-EXEC

In the Matter of the Petition for Reconsideration of the
**NORTHERN CALIFORNIA WATER ASSOCIATION,
THE CENTRAL VALLEY PROJECT WATER ASSOCIATION,
AND INDIVIDUAL PETITIONERS**
Regarding Annual Water Right Fee Determinations.

ORDER DENYING RECONSIDERATION

BY THE EXECUTIVE DIRECTOR¹

1.0 INTRODUCTION

The Northern California Water Association (NCWA), the Central Valley Project Water Association (CVPWA) and other persons and entities, collectively referred to herein as “Petitioners,”² petition the State Water Resources Control Board (State Water Board or Board) for reconsideration and a refund of water right fees assessed by the State Board of Equalization (BOE) on November 7, 2005. In general, Petitioners allege that the State Water Board’s decision to impose the water right fees constitutes an abuse of discretion, is not supported by substantial evidence, and is illegal. They request the State Water Board to vacate and rescind State Water Board Resolution No. 2005 – 0069, which adopted emergency regulations amending the water right and water quality certification fees, and to refund Petitioners’ payments. Petitioners also

¹ State Water Board Resolution No. 2002 - 0104 delegates to the Executive Director the authority to supervise the activities of the State Water Board. Unless a petition for reconsideration raises matters that the State Water Board wishes to address or requires an evidentiary hearing before the State Water Board, the Executive Director’s consideration of petitions for reconsideration of disputed fees falls within the scope of the authority delegated under Resolution No. 2002 - 0104. Accordingly, the Executive Director has the authority to refuse to reconsider a petition for reconsideration, deny the petition, or set aside or modify the fee assessment. This delegation is not affected by *Central Delta Water Agency v. State Water Resources Control Board* (2004) 124 Cal.App.4th 245 [20 Cal.Rptr.3d 898]. In that case, the court held that the State Water Board, after a hearing, could not defer making findings that were prerequisite to issuing water right permits by delegating the remaining findings to its staff for subsequent determinations by the staff. Accordingly, the Executive Director has the authority to refuse to reconsider a petition for reconsideration, deny the petition, or set aside or modify the fee assessment.

² The term “Petitioners” is used for ease of reference and does not confer the legal status of petitioner on NCWA and CVPWA.

request the State Water Board to hold the petition for reconsideration in abeyance pending resolution of litigation over the State Water Board's adoption of water right fees in 2003.³ Certain Petitioners have raised factual issues relating to their fee bills. The State Water Board finds that its decision to impose the fees was appropriate and proper and denies Petitioners' petition for reconsideration.

2.0 GROUNDS FOR RECONSIDERATION

According to the State Water Board's regulations governing reconsideration of fees, only a fee payer may petition for reconsideration of the State Water Board's determination that the fee payer is required to pay a fee, or the State Water Board's determination regarding the amount of the fee. (Cal. Code Regs., tit. 23, § 1077.)⁴ A fee payer may petition for reconsideration on any of the following grounds: (1) irregularity in the proceeding, or any ruling, or abuse of discretion, by which the fee payer was prevented from having a fair hearing; (2) the fee determination is not supported by substantial evidence; (3) there is relevant evidence that, in the exercise of reasonable diligence, could not have been produced; or (4) error in law. (§§ 768, 1077.)

Pursuant to Water Code section 1537, subdivision (b)(4), the State Water Board's adoption of the regulations may not be the subject of a petition for reconsideration. When a State Water Board decision or order applies those regulations, a petition for reconsideration may include a challenge to the regulations as they have been applied in the decision or order.

A petition for reconsideration of a fee assessment must include certain information, including the name and address of the petitioner, the specific board action of which petitioner requests reconsideration, the reason the action was inappropriate or improper, the reason why the petitioner believes that no fee is due or how the petitioner believes that the amount of the fee has been miscalculated, and the specific action that petitioner requests. (§§ 769, subd. (a)(1)-(6),

³ In December 2003 NCWA and CVPWA filed suit against the State Water Board and BOE challenging the State Water Board's adoption of fee regulations for Fiscal Year 2003-2004. They have challenged the fees each subsequent year. In June 2005, the Sacramento County Superior Court issued a final judgment upholding the water right fees in their entirety. The court found that the fees challenged in the consolidated action are legitimate regulatory fees and that the State Water Board satisfied the law in developing the water right fee structure. An appeal is pending.

⁴ All further regulatory references are to the State Water Board's regulations located in title 23 of the California Code of Regulations unless otherwise indicated.

1077, subd. (a).) A petition for reconsideration of a fee assessed by BOE must include a copy of the notice of assessment. (§ 1077, subd.(a).) Section 769, subdivision (c) of the regulations further provides that a petition for reconsideration shall be accompanied by a statement of points and authorities in support of the legal issues raised in the petition.

If the subject of the petition relates to an assessment of a fee by BOE, the State Water Board's decision regarding the assessment is deemed adopted on the date of assessment by BOE.

(§ 1077, subd. (b).) A petition is timely filed only if the State Water Board receives it within 30 days of the date the assessment is issued. (*Ibid.*)

The State Water Board may refuse to reconsider a decision or order if the petition for reconsideration fails to raise substantial issues related to the causes for reconsideration set forth in section 768 of the State Water Board's regulations. (§ 770, subd. (a)(1).) Alternatively, after review of the record, the State Water Board also may deny the petition if the State Water Board finds that the decision or order in question was appropriate and proper, set aside or modify the decision or order, or take other appropriate action. (*Id.*, subd. (a)(2)(A)-(C).)

This order addresses the principal issues raised by NCWA and CVPWA and the individual petitioners. To the extent that this order does not address all of the issues raised by Petitioners, the State Water Board finds that either these issues are insubstantial or that Petitioners have failed to meet the requirements for a petition for reconsideration under the State Water Board's regulations. (§§ 768-769, 1077.)

3.0 LEGAL AND FACTUAL BACKGROUND

The State Water Board's Division of Water Rights (Division) is the entity primarily responsible for administering the state's water right program. The primary source of funding for the water rights program is regulatory fees deposited in the Water Rights Fund in the state treasury.

Legislation enacted in 2003 (Senate Bill 1049, Stats. 2003, ch. 741) required the State Water Board to adopt emergency regulations revising and establishing water right fees and revising fees for water quality certification. (Wat. Code, §§ 1525, 1530.) Pursuant to this legislation, the State Water Board revises the fee schedule each fiscal year, so that the fees will generate

revenues consistent with the amount set forth in the annual Budget Act. (*Id.* § 1525, subd. (d).) BOE is responsible for collecting the annual fees. (*Id.* § 1536.)

In Fiscal Year (FY) 2005-2006, the Budget Act appropriates \$11.447 million for the water right program, including \$11.085 million for water right administration by the State Water Board and \$0.362 million for water right fee collection by BOE.⁵ (Stats. 2005, ch. 38, as amended by Stats. 2005, ch. 39.) Most of the funding for the water right program – a total of \$9.589 million – is appropriated from the Water Rights Fund. In accordance with the Water Code fee provisions, the State Water Board sets a fee schedule each fiscal year so that the amount collected and deposited into the Water Rights Fund during that fiscal year will support the appropriation made from the Water Rights Fund in the annual Budget Act, taking into account money in the fund from other sources.⁶

In FY 2004-2005, the State Water Board collected \$8.01 million in water right fees and water quality certification fees deposited in the Water Rights Fund.⁷ Additional funds were remaining in the Water Rights Fund from previous years' fees. After subtracting program costs and accounting for encumbrances, approximately \$1.831 million was left in the Water Rights Fund at the end of the fiscal year. The State Water Board accounted for this excess, which exceeded the State Water Board's allocation specified in the Budget Act of 2004, by subtracting it from the budget target for FY 2005-06. Thus, for the purposes of calculating this year's fees, the State Water Board determined that the fee schedule should be set so that fee collections deposited in

⁵ The budget figures referenced in this order for FY 2005-2006 are based on the line item appropriations in the Budget Act of 2005. (Stats. 2005, ch. 38, amended by Stats. 2005, ch. 39.) These figures are subject to adjustment based on control sections in the Budget Act. After these adjustments are made, the precise amounts budgeted will be slightly different than the line appropriations indicated in the Budget Act, but the differences are not material for purposes of any of the issues addressed in this order.

⁶ Other sources of money in the Water Rights Fund, in addition to fee collections made during the fiscal year, include unexpended reserves from fee collections in previous years (see Wat. Code, § 1525, subd. (d)(3)) and money transferred from other funds. The Budget Act of 2005 reappropriates \$1.5 million that was appropriated in the Budget Act of 2004, but not expended, to pay for work described in Assembly Bill 2121 (Stats. 2004, ch. 943). This appropriation was based on a transfer from the Resources Trust Fund, a fund that is supported by tidelands oil revenues, and is reappropriated in the Budget Act of 2005 because insufficient funds were deposited in the Resources Trust Fund to make the transfer in FY 2004-05. The State Water Board did not include this amount in calculating the amount of revenue to be collected from fees.

⁷ Fees associated with water quality certification for Federal Energy Regulatory Commission licensing are deposited in the Water Rights Fund. (Wat. Code, § 1551, subd. (c).)

the Water Rights Fund would amount to \$7.886 million (\$9.717 - \$1.831 million) this fiscal year. Assuming a non-collection rate of 10 percent,⁸ the total amount billed in annual fees was \$8.029 million, with the remaining balance expected to be collected from one-time filing fees.

On September 22, 2005, the State Water Board adopted emergency regulations amending the water right and water quality certification fee schedules to meet the requirements of the Water Code and the Budget Act. (State Water Board Resolution No. 2005-0069.) The emergency regulations became effective on October 21, 2005, and on November 7, 2005, BOE sent out notices of determination for the annual fees.

4.0 FEE DETERMINATIONS COVERED BY THE PETITION

According to the NCWA-CVPWA petition, Petitioners are NCWA, CVPWA, and persons identified in the caption of the petition. The State Water Board also has received a number of separately filed letters referencing either the NCWA petition or Petitioner's counsel (Somach, Simmons & Dunn). NCWA and CVPWA are not fee payers and cannot be considered petitioners in this order. (§ 1077.) The State Water Board will consider the persons identified in Exhibit B of the NCWA-CVPWA petition and the persons filing separate letters of reference to be petitioners under the NCWA-CVPWA petition if they otherwise meet the requirements for a petition for reconsideration. Attachment 1 identifies the persons who were assessed an annual water right fee, have met the regulatory requirements for filing a petition for reconsideration, and are properly considered petitioners for purposes of this order.

The State Water Board will not consider late-filed letters referencing the NCWA-CVPWA petition for reconsideration or late amendments to the petition. The deadline for filing a petition for reconsideration of the November 7, 2005, assessment was December 7, 2005. (§ 1077, subd. (b).) After the period for timely filing a petition for reconsideration ended, NCWA and CVPWA

⁸ The State Water Board assumed a 90 percent rate of collection for this fiscal year. This assumption is based on BOE's rate of collection in FY 2004-2005. The amount attributed to non-collection includes reductions in fee revenues because the State Water Board may reduce or rescind some fees after the fee payer files a petition for reconsideration identifying a problem, as well as fees that are properly assessed but not paid by the end of the fiscal year. Unpaid fees are still subject to collection, with interest, but it may take some time before the Water Rights Fund receives significant revenues as a result of collection actions against parties who failed to pay their fees on time.

submitted an “errata and supplement,” dated December 21, 2005, to their petition for reconsideration. The errata included Notices of Determination that the Petitioners had omitted from their petition. All but two persons identified in the errata already had been named as petitioners in the caption of NCWA-CVPWA petition. The State Water Board’s regulation governing petitions for reconsideration of fee assessments requires a fee payer to provide the State Water Board with a copy of the notice of assessment. (§ 1077, subd. (a).) Although the State Water Board requires strict adherence to the statute and regulations governing a petition for reconsideration, it can accept a timely filed petition that inadvertently omits required information if the information is provided before the State Water Board acts on the petition. Accordingly, with the exceptions below, the State Water Board will consider those entities identified in the errata to be Petitioners subject to this order.

In their errata, NCWA and CVPWA also seek to add Yolo County Flood Control and Water Conservation District and Donald D. Murphy as petitioners. In contrast to the entities discussed above, these persons were not included in the caption of the timely filed petition and thus were not timely identified as petitioners within the reconsideration period. Nor did they timely incorporate the petition by reference. Petitioners cannot circumvent the deadlines for a petition for reconsideration or expand the scope of an original petition by filing errata seeking to add additional persons or entities not previously identified as petitioners.

The State Water Board’s review in this order is limited to certain annual fee assessments issued on November 7, 2005. Petitioners have submitted notices of determination for annual permit and license fees under section 1066, annual permit and license fees passed through to Bureau of Reclamation (USBR) contractors under section 1073, annual application fees under section 1063, a petition fee under section 1065, and a water quality certification fee under section 3833.1, subdivision (b). To the extent that Petitioners’ contentions are not relevant to any of these fee assessments for which their petition for reconsideration has been filed, those contentions are not within the scope of the petitions for reconsideration. Additionally, the State Water Board will not consider allegations that Petitioners seek to incorporate by reference in other documents, such as the complaint, if the Petitioners have failed to include points and authorities in support of the legal issues raised. (§ 769, subd. (c).)

Petitioners do not make any specific arguments regarding annual application fees, the annual petition fees, or the water quality certification fee. To the extent that Petitioners' challenge to these fees is based on their same contentions concerning the annual permit and license fees, those contentions are already addressed in this order and in the orders incorporated by reference. If Petitioners intended to rely on other grounds, then their challenge is deficient because they failed to specify those grounds and to include points and authorities in support of the legal issues raised. (§ 769, subd. (c).)

5.0 PETITIONERS' ARGUMENTS REGARDING THE CONSTITUTIONALITY OF THE FEES AND THE ADMINISTRATION OF THE FEES ARE WITHOUT MERIT

Petitioners raise a variety of challenges to the water right fees and to Resolution No. 2005-0069, including claims that (1) the administration of the water rights fees violates due process; (2) the fees constitute an unconstitutional tax; (3) the fees are unconstitutionally discriminatory; (4) the fees unlawfully seek to assess the federal government and its contractors; and (5) the fees are arbitrary and capricious, exceed the State Water Board's authority, and violate Government Code section 11010. NCWA and CVPWA previously have raised these issues in their petitions challenging annual fees issued in FY 2003-2004 and in FY 2004-2005. The State Water Board denied those petitions in Order WRO 2004-0011-EXEC, Order WRO 2004-0045-EXEC, and Order WR 2005-0007-EXEC. The NCWA-CVPWA petition now before the State Water Board repeats the same arguments nearly verbatim.⁹ Except as identified below, the Petitioners have not provided any new arguments, new information, or supporting authorities that materially change any of the issues raised in the earlier petition. With respect to the issues that were raised in the previous petitions and are repeated in the petition now before the State Water Board, this order adopts the reasoning of Order WRO 2004-0011-EXEC, Order WRO 2004-0045-EXEC, and Order WR 2005-0007-EXEC and incorporates the reasoning of those orders by reference.¹⁰

⁹ Petitioners even repeat the same erroneous factual allegations that the State Water Board has previously pointed out to them. (See, e.g., Order WRO 2004-0045-EXEC, p. 10 [refuting Petitioners' claim that the term "assessment" does not appear on the Notice of Determination].)

¹⁰ To the extent Order WRO 2004-0011-EXEC, Order WRO 2004-0045-EXEC, or Order WR 2005-0007-EXEC address issues that are not properly before the State Water Board in this order and are not relevant to the issues [footnote continues on next page]

Without analysis, Petitioners also allege that the annual permit and license fees passed through to USBR contractors violate the Separation of Powers clause by “improperly delegating a judicial function to the State Board.” Petitioners’ bare contention regarding judicial function lacks the factual predicate on which it is based. Water Code section 1560 recognizes that a fee payer may have sovereign immunity and that the fees may be imposed only to the extent authorized under federal or tribal law. (Wat. Code, § 1560, subd. (a).) Under Water Code sections 1540 and 1560, if the State Water Board determines that a fee payer is likely to decline to pay a fee or expense based on a claim of sovereign immunity, then the State Water Board may allocate the fees due to that fee payer’s water supply contractors. The State Water Board did not determine that the United States was immune from fees. Instead, based on the State Water Board’s past experience and information provided by the United States, it merely determined that the United States was likely to decline to pay. (Wat. Code, § 1560, subd. (b).) This factual determination does not amount to an exercise of judicial function. Moreover, Petitioners’ own cases support a conclusion that an administrative agency may decide an issue, subject to judicial review, that needs to be considered in connection with the regulatory program that the agency administers. (See, e.g., *McHugh v. Santa Monica Rent Control Bd.* (1989) 49 Cal.3d 348, 359 [261 Cal.Rptr. 318] (holding that judicial powers doctrine is not offended by an administrative agency’s remedial actions when those actions are reasonably necessary to effectuate the agency’s regulatory purposes and essential judicial power remains ultimately in the courts, through review of agency determinations); Wat. Code, §§ 1537, subd. (b)(2), 1126 (providing for judicial review of fee determinations).)

Citing to *Central Delta Water Agency, supra*, at 124 Cal.App.4th 245, 261, Petitioners also claim that Water Code sections 1540 and 1560 improperly delegate the determination of whether the United States is immune from the fee to the State Water Board, and that the Board then improperly delegated this authority to the Division Chief. Water Code 1530, subdivision (a)

decided in this order, the incorporation by reference of those orders does not extend to those issues and those issues have not been decided by this order.

authorizes the State Water Board to adopt emergency regulations governing the administration and collection of fees. In turn, the State Water Board has delegated to the Division Chief the authority to apply Water Code section 1560, subdivision (b). (Cal. Code Regs., tit. 23, § 1073, subd. (a).) As noted in footnote 1, *Central Delta Water Agency* involved the narrow issue of the State Water Board's authority to defer findings to staff after a hearing in a proceeding on a water right application and does not support Petitioners' contention in this proceeding, which concerns the State Water Board's administration of regulatory fees. Petitioners do not explain why such delegation is improper. Petitioner's claim has no merit.

6.0 FACTUAL CLAIMS RAISED BY PETITIONERS REGARDING ANNUAL PERMIT OR LICENSE FEES

Certain individual petitioners raised factual claims specific to their annual fees. Feather Water District, Stony Creek Water District, Stockton East Water District/Central San Joaquin Water Conservation District, and Chowchilla Water District repeat the same arguments previously raised to the State Water Board. The Board already has denied reconsideration of these factual claims in one or more of the orders incorporated by reference herein and will not consider these claims further.

Browns Valley Irrigation District (District) (water right application number A013873) seeks reconsideration of the \$1,299.70 fee that it was assessed under License 13609. According to section 1066, subdivision (a)(1), "the board shall calculate annual fees according to the total annual amount of diversion authorized by the permit or license as of the beginning of the [fiscal] year." (See § 1074, subd. (a) [imposing annual fees based on the fiscal year (July 1 through June 30)].) On July 1, 2005, the District held a water right permit authorizing a maximum annual diversion to storage of 40,000 acre-feet (af). On August 31, 2005, the Division issued License 13609 to the District, which reduced the authorized annual diversion to 31,900 af. The District's annual fee was correctly based on the permitted amount that was in effect at the beginning of the fiscal year. Next fiscal year, the annual fee will be based on the licensed amount. The State Water Board denies this cause for reconsideration.

7.0 CONCLUSION

For the reasons discussed above, the State Water Board finds that its decision to impose water right fees was appropriate and proper. To the extent that this order does not address all of the issues raised in the petition for reconsideration, the State Water Board finds that either these issues are insubstantial or that Petitioners have failed to meet the requirements for a petition for reconsideration under the State Water Board's regulations. The petition for reconsideration is denied.

ORDER

IT IS HEREBY ORDERED THAT the petition for reconsideration is denied.

Dated: January 26, 2006

ORIGINAL SIGNED BY
Celeste Cantú
Executive Director

Attachment

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
1989 SPENCE TRUST DATED 4/4/89	A017753
1989 SPENCE TRUST DATED 4/4/89	A017754
1989 SPENCE TRUST DATED 4/4/89	A017755
1991 SPENCE TRUST DATED 4/11/91	A017756
1991 SPENCE TRUST DATED 4/11/91	A017757
1991 SPENCE TRUST DATED 4/11/91	A017758
1991 SPENCE TRUST DATED 4/11/91	A017759
1991 SPENCE TRUST DATED 4/11/91	A017843
1991 SPENCE TRUST DATED 4/11/91	A018050
1991 SPENCE TRUST DATED 4/11/91	A018895
A & G MONTNA PROPERTIES INC.	A006348
A & G MONTNA PROPERTIES INC.	A019083
A & G MONTNA PROPERTIES INC.	A031175
A & G MONTNA PROPERTIES INC.	A031176
AGENCY 5	A005549
ALGER FAMILY TRUST	A010828
ALTA VISTA RANCH	A030536
ANDERSON, MARIAN	A005151
ANDERSON-COTTONWOOD IRRIGATION DISTRICT	USBR1085
ARVIN-EDISON WATER STORAGE DISTRICT	USBR1061
ARVIN-EDISON WATER STORAGE DISTRICT	USBR1326
ATKINSON, THOMAS S, II	A007641D3
ATKINSON, THOMAS S, II	A015856C
BABER, JACK W	A001617
BABER, JACK, ET AL	USBR1035
BABER, JUDITH S	A012087
BABER, JUDITH S	A022696
BANTA-CARBONA IRRIGATION DISTRICT	A001933
BANTA-CARBONA IRRIGATION DISTRICT	A005248
BANTA-CARBONA IRRIGATION DISTRICT	USBR1115
BELLA VISTA WATER DISTRICT	USBR1214
BENGARD, TOM	A020874
BENGARD, TOM	A020925
BENGARD, TOM	A020926
BENGARD, TOM	A020927
BENGARD, TOM	A021536
BENGARD, TOM	A021537
BENGARD, TOM	A021665
BROADVIEW WATER DISTRICT	USBR1187
BROWNS VALLEY IRRIGATION DISTRICT	A008986
BROWNS VALLEY IRRIGATION DISTRICT	A013130
BROWNS VALLEY IRRIGATION DISTRICT	A013873
BROWNS VALLEY IRRIGATION DISTRICT	A023757
BROWNS VALLEY IRRIGATION DISTRICT	A027302
BYRON BETHANY IRRIGATION DISTRICT	USBR1180
CALAVERAS COUNTY WATER DISTRICT	A000077A
CALAVERAS COUNTY WATER DISTRICT	A005648D
CALAVERAS COUNTY WATER DISTRICT	A011792B
CALAVERAS COUNTY WATER DISTRICT	A012910
CALAVERAS COUNTY WATER DISTRICT	A012911
CALAVERAS COUNTY WATER DISTRICT	A012912
CALAVERAS COUNTY WATER DISTRICT	A012912A
CALAVERAS COUNTY WATER DISTRICT	A013091
CALAVERAS COUNTY WATER DISTRICT	A013092

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
CALAVERAS COUNTY WATER DISTRICT	A013093
CALAVERAS COUNTY WATER DISTRICT	A013093A
CALAVERAS COUNTY WATER DISTRICT	A018727
CALAVERAS COUNTY WATER DISTRICT	A019148
CALAVERAS COUNTY WATER DISTRICT	A019149
CALAVERAS COUNTY WATER DISTRICT	A022405
CALAVERAS COUNTY WATER DISTRICT	A025901
CALAVERAS COUNTY WATER DISTRICT	USBR1307
CAVE, JESSE HAWKINS III, TRUST OF	A014649
CENTERVILLE COMMUNITY SERVICES DISTRICT	USBR1091
CENTRAL SAN JOAQUIN WATER CONSERVATION DISTRICT	USBR1248
CHOWCHILLA WATER DISTRICT	A011047
CHOWCHILLA WATER DISTRICT	A013175
CHOWCHILLA WATER DISTRICT	USBR1102
CHOWCHILLA WATER DISTRICT	USBR1286
CHOWCHILLA WATER DISTRICT	USBR1287
CLAIBORNE, DARIN	A025024
CLEAR CREEK COMMUNITY SERVICES DISTRICT	USBR1130
COLUSA COUNTY WATER DISTRICT	USBR1082
COLUSA DRAIN MUTUAL WATER COMPANY	A016305
COLUSA DRAIN MUTUAL WATER COMPANY	USBR1270
COLUSA, COUNTY OF	USBR1204
CONTRA COSTA WATER DISTRICT	A005941
CONTRA COSTA WATER DISTRICT	A020245
CONTRA COSTA WATER DISTRICT	A025516A
CONTRA COSTA WATER DISTRICT	A025829
CONTRA COSTA WATER DISTRICT	A027893
CONTRA COSTA WATER DISTRICT	USBR1302
CORNING WATER DISTRICT	USBR1153
CUSHMAN, JACK A	A020803
CUSHMAN, JACK A	A028162
DANNA & DANNA INC.	A010739
DAVIS RANCHES	A001659
DAVIS RANCHES	A012412
DAVIS RANCHES	A013000
DAVIS RANCHES	A013001
DAVIS RANCHES	A013002
DAVIS RANCHES	A018372
DAVIS WATER DISTRICT	USBR1149
DEL PUERTO WATER DISTRICT	USBR1233
DELANO-EARLIMART	USBR1300
DELANO-EARLIMART	USBR1301
DELTA BREEZE PARTNERS	A011268B01
DELTA BREEZE PARTNERS	A017468A
DUNNIGAN WATER DISTRICT	USBR1103
EAGLE FIELD WATER DISTRICT	USBR1173
EAST BAY MUNICIPAL UTILITY DISTRICT	A000465
EAST BAY MUNICIPAL UTILITY DISTRICT	A002593
EAST BAY MUNICIPAL UTILITY DISTRICT	A004228
EAST BAY MUNICIPAL UTILITY DISTRICT	A004768
EAST BAY MUNICIPAL UTILITY DISTRICT	A005128
EAST BAY MUNICIPAL UTILITY DISTRICT	A006707
EAST BAY MUNICIPAL UTILITY DISTRICT	A013156
EAST BAY MUNICIPAL UTILITY DISTRICT	A015201

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
EAST BAY MUNICIPAL UTILITY DISTRICT	A018672
EAST BAY MUNICIPAL UTILITY DISTRICT	A025056
EAST BAY MUNICIPAL UTILITY DISTRICT	USBR1134
EASTSIDE MUTUAL WATER COMPANY	USBR1015
EL DORADO IRRIGATION DISTRICT	A000654
EL DORADO IRRIGATION DISTRICT	A001440
EL DORADO IRRIGATION DISTRICT	A001441
EL DORADO IRRIGATION DISTRICT	A001692
EL DORADO IRRIGATION DISTRICT	A005645A
EL DORADO IRRIGATION DISTRICT	A005645B
EL DORADO IRRIGATION DISTRICT	A006383
EL DORADO IRRIGATION DISTRICT	A007478
EL DORADO IRRIGATION DISTRICT	A011675
EL DORADO IRRIGATION DISTRICT	A015140
EL DORADO IRRIGATION DISTRICT	FERC184
EL DORADO IRRIGATION DISTRICT	USBR1027
EL DORADO IRRIGATION DISTRICT	USBR1164
EL SOLYO WATER DISTRICT	A001476
ETCHEPARE, LEON W, TESTAMENTARY TRUST	A027213
FEATHER WATER DISTRICT	A014803
FEATHER WATER DISTRICT	USBR1324
FRESNO SLOUGH WATER DISTRICT	USBR1105
GARCIA FAMILY TRUST TR UA 3/5/92	A028504
GARDEN HIGHWAY MUTUAL WATER COMPANY	A001699
GARDEN HIGHWAY MUTUAL WATER COMPANY	A014415
GARDEN HIGHWAY MUTUAL WATER COMPANY	A015893
GARDEN HIGHWAY MUTUAL WATER COMPANY	A023045
GARDEN HIGHWAY MUTUAL WATER COMPANY	A026098
GARDEN HIGHWAY MUTUAL WATER COMPANY	A031191
GLENN-COLUSA IRRIGATION DISTRICT	A000018
GLENN-COLUSA IRRIGATION DISTRICT	A001554
GLENN-COLUSA IRRIGATION DISTRICT	A001624
GLENN-COLUSA IRRIGATION DISTRICT	A008688
GLENN-COLUSA IRRIGATION DISTRICT	A012125
GLENN-COLUSA IRRIGATION DISTRICT	A023005
GLENN-COLUSA IRRIGATION DISTRICT	A030838
GLENN-COLUSA IRRIGATION DISTRICT	USBR1215
GLIDE WATER DISTRICT	USBR1262
GRAY, WILLIAM T	A012994
HARLESS, PATRICIA	A026246
IGO ONO COMMUNITY SERVICE DISTRICT	A000784
IGO ONO COMMUNITY SERVICE DISTRICT	A013976
IMPERIAL IRRIGATION DISTRICT	A007482
IMPERIAL IRRIGATION DISTRICT	A007739
IMPERIAL IRRIGATION DISTRICT	A007740
IMPERIAL IRRIGATION DISTRICT	A007741
IMPERIAL IRRIGATION DISTRICT	A007742
IMPERIAL IRRIGATION DISTRICT	A007743
IMPERIAL IRRIGATION DISTRICT	A008534
JAMES IRRIGATION DISTRICT	USBR1155
JENNINGS, RICHARD L	A000135
JENNINGS, RICHARD L	A000486
JENNINGS, RICHARD L	A010835
JENNINGS, RICHARD L	A012903

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
KANAWHA WATER DISTRICT	USBR1126
KERN-TULARE WATER DISTRICT	USBR1220
KIDCO #11 L P	A012916
KIRKWOOD WATER DISTRICT	USBR1266
KLEIN, RICHARD MARK	A022424
KLEIN, RICHARD MARK	A023619
KNAGGS FARMING COMPANY L P	16361BP030101
KNAGGS FARMING COMPANY L P	A001725
KNAGGS FARMING COMPANY L P	A003423
KNAGGS FARMING COMPANY L P	A004351
KNAGGS FARMING COMPANY L P	A004901
KNAGGS FARMING COMPANY L P	A004902
KNAGGS FARMING COMPANY L P	A005359
KNAGGS FARMING COMPANY L P	A012256
KNAGGS FARMING COMPANY L P	A012995
KNAGGS FARMING COMPANY L P	A012996
KNAGGS FARMING COMPANY L P	A012997
KNAGGS FARMING COMPANY L P	A016361B
KNAGGS FARMING COMPANY L P	A029471
KNAGGS WALNUT RANCHES COMPANY L P	A013031
LA GRANDE WATER DISTRICT	USBR1260
LANDINI, MIKE	A019913
LANDINI, MIKE	A024810
LANDINI, MIKE	A024811
LANDINI, MIKE	A025118
LEAL FAMILY TRUST	A008830
LEDBETTER FARMS INC.	A013267
LEDBETTER FARMS INC.	A013453
LEDBETTER FARMS INC.	A014333
LEDBETTER FARMS INC.	A022608
LEDBETTER FARMS INC.	A027149
LEDBETTER FARMS INC.	A029405
LEDBETTER, JAMES	A013277
LEDBETTER, JAMES	A021245
MADERA IRRIGATION DISTRICT	A017311
MADERA IRRIGATION DISTRICT	USBR1106
MADERA IRRIGATION DISTRICT	USBR1298
MADERA IRRIGATION DISTRICT	USBR1299
MADERA-CHOWCHILLA WATER AND POWER AUTHORITY	A027456
MATHIS, GLENN E, JR	A017501
MATHIS, GLENN E, JR	A017502
MATHIS, GLENN E, JR	A017503
MATHIS, GLENN E, JR	A017504
MATHIS, GLENN E, JR	A017505
MAXWELL IRRIGATION DISTRICT	A008631
MAXWELL IRRIGATION DISTRICT	A011955
MAXWELL IRRIGATION DISTRICT	A011956
MAXWELL IRRIGATION DISTRICT	A011957
MAXWELL IRRIGATION DISTRICT	A011958
MAXWELL IRRIGATION DISTRICT	A013735
MAXWELL IRRIGATION DISTRICT	A013919
MAXWELL IRRIGATION DISTRICT	A014378
MAXWELL IRRIGATION DISTRICT	A030445
MAXWELL IRRIGATION DISTRICT	USBR1150

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
MERCY SPRINGS WATER DISTRICT	USBR1086
MERIDIAN FARMS WATER COMPANY	A001074B
MERIDIAN FARMS WATER COMPANY	A009737
MERIDIAN FARMS WATER COMPANY	USBR1211
MJM	A028685
MURPHY LAKE FARMS	A015858
NATOMAS CENTRAL MUTUAL WATER COMPANY	A000534
NATOMAS CENTRAL MUTUAL WATER COMPANY	USBR1227
NOBLE, ANDREW	A021231B
NOBLE, ANDREW	A021381
NOBLE, ANDREW	A021382B
NORTH MARIN WATER DISTRICT	A013599
NORTH MARIN WATER DISTRICT	A013965B
NORTH MARIN WATER DISTRICT	A025062
NORTH MARIN WATER DISTRICT	A025079
NORTH MARIN WATER DISTRICT	A025927
ODYSSEUS FARMS PARTNERSHIP	A009515
ODYSSEUS FARMS PARTNERSHIP	A011058
ODYSSEUS FARMS PARTNERSHIP	USBR1218
ORANGE COVE IRRIGATION DISTRICT	A028552
ORANGE COVE IRRIGATION DISTRICT	A028691
ORANGE COVE IRRIGATION DISTRICT	A030593
ORANGE COVE IRRIGATION DISTRICT	A031186
ORANGE COVE IRRIGATION DISTRICT	USBR1283
ORLAND-ARTOIS WATER DISTRICT	USBR1210
PACHECO WATER DISTRICT	USBR1251
PAJARO VALLEY WATER MANAGEMENT AGENCY	A030522
PANOCHÉ WATER DISTRICT	USBR1181
PELGER MUTUAL WATER COMPANY	A001765A
PELGER MUTUAL WATER COMPANY	A012470B
PELGER MUTUAL WATER COMPANY	A030410
PELGER MUTUAL WATER COMPANY	USBR1053
PLACER COUNTY WATER AGENCY	A018084
PLACER COUNTY WATER AGENCY	A018085
PLACER COUNTY WATER AGENCY	A018086
PLACER COUNTY WATER AGENCY	A018087
PLACER COUNTY WATER AGENCY	A026637
PLACER COUNTY WATER AGENCY	A029721
PLACER COUNTY WATER AGENCY	USBR1133
PLEASANT GROVE-VERONA MUTUAL WATER COMPANY	USBR1146
PRINCETON-CODORA-GLENN IRRIGATION DISTRICT	A000244
PRINCETON-CODORA-GLENN IRRIGATION DISTRICT	A000770
PRINCETON-CODORA-GLENN IRRIGATION DISTRICT	A017066
PRINCETON-CODORA-GLENN IRRIGATION DISTRICT	A030812
PRINCETON-CODORA-GLENN IRRIGATION DISTRICT	USBR1213
PROBERTA WATER DISTRICT	USBR1163
PROVIDENT IRRIGATION DISTRICT	A000462
PROVIDENT IRRIGATION DISTRICT	A000640
PROVIDENT IRRIGATION DISTRICT	A000892
PROVIDENT IRRIGATION DISTRICT	A001422
PROVIDENT IRRIGATION DISTRICT	A010595
PROVIDENT IRRIGATION DISTRICT	A013452
PROVIDENT IRRIGATION DISTRICT	A030813
PROVIDENT IRRIGATION DISTRICT	USBR1217

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
RAG GULCH WATER DISTRICT	USBR1209
RECLAMATION DISTRICT #1004	A000027
RECLAMATION DISTRICT #1004	USBR1230
RECLAMATION DISTRICT #108	A000576
RECLAMATION DISTRICT #108	A000763
RECLAMATION DISTRICT #108	A001589
RECLAMATION DISTRICT #108	A011899
RECLAMATION DISTRICT #108	USBR1224
RECLAMATION DISTRICT #1606	USBR1101
RECLAMATION DISTRICT #2068	A002318
RECLAMATION DISTRICT #2068	A019229
RECLAMATION DISTRICT #2068	A024961
REIMERS, HOLLIS E	A020603
REIMERS, HOLLIS E	A022776
REIMERS, HOLLIS E	A023740
RIVER BEND VINEYARDS, LTD	A010976
RIVER GARDEN FARMS COMPANY	A000575
RIVER GARDEN FARMS COMPANY	A000577
RIVER GARDEN FARMS COMPANY	A011910
RIVER GARDEN FARMS COMPANY	USBR1225
RIVER RANCH PARTNERSHIP	A007641C
RIVER RANCH PARTNERSHIP	A015735
ROSEVILLE, CITY OF	USBR1094
SACRAMENTO COUNTY WATER AGENCY	A030454
SACRAMENTO COUNTY WATER AGENCY	USBR1066
SACRAMENTO COUNTY WATER AGENCY	USBR1253
SACRAMENTO MUNICIPAL UTILITY DISTRICT	A014963
SACRAMENTO MUNICIPAL UTILITY DISTRICT	A023404
SACRAMENTO MUNICIPAL UTILITY DISTRICT	USBR1135
SAN BENITO COUNTY WATER DISTRICT	A002937
SAN BENITO COUNTY WATER DISTRICT	A008642
SAN BENITO COUNTY WATER DISTRICT	A017782
SAN BENITO COUNTY WATER DISTRICT	USBR1268
SAN JUAN WATER DISTRICT	A005830
SAN JUAN WATER DISTRICT	USBR1033
SAN JUAN WATER DISTRICT	USBR1254
SAN LUIS WATER DISTRICT	USBR1174
SANTA CLARA VALLEY WATER DISTRICT	A005653
SANTA CLARA VALLEY WATER DISTRICT	A005654
SANTA CLARA VALLEY WATER DISTRICT	A007140
SANTA CLARA VALLEY WATER DISTRICT	A007141
SANTA CLARA VALLEY WATER DISTRICT	A007142
SANTA CLARA VALLEY WATER DISTRICT	A007143
SANTA CLARA VALLEY WATER DISTRICT	A008098
SANTA CLARA VALLEY WATER DISTRICT	A008099
SANTA CLARA VALLEY WATER DISTRICT	A008387
SANTA CLARA VALLEY WATER DISTRICT	A008388
SANTA CLARA VALLEY WATER DISTRICT	A009455
SANTA CLARA VALLEY WATER DISTRICT	A011010
SANTA CLARA VALLEY WATER DISTRICT	A011751
SANTA CLARA VALLEY WATER DISTRICT	A013016
SANTA CLARA VALLEY WATER DISTRICT	A013791
SANTA CLARA VALLEY WATER DISTRICT	A013886
SANTA CLARA VALLEY WATER DISTRICT	A019679

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
SANTA CLARA VALLEY WATER DISTRICT	A021128
SANTA CLARA VALLEY WATER DISTRICT	USBR1089
SANTA CLARA VALLEY WATER DISTRICT	USBR1261
SCHAAD, GARRETH B	A000735
SCHAAD, GARRETH B	A017853
SCHAAD, GARRETH B	A028985
SCOTT VALLEY IRRIGATION DISTRICT	A000512
SEMITROPIC WATER STORAGE DISTRICT	A025117
SHAFTER-WASCO IRRIGATION DISTRICT	USBR1107
SHAFTER-WASCO IRRIGATION DISTRICT	USBR1108
SHASTA COUNTY WATER AGENCY	USBR1090
SHASTA, COUNTY OF - CSA 2	A013737
SHASTA, COUNTY OF - CSA 23	A023810
SHASTA, COUNTY OF - CSA 3	A025427
SHASTA, COUNTY OF - CSA 3	A031015
SHASTA, COUNTY OF - CSA 6	A026671
SILVERADO PREMIUM PROPERTIES II LLC	A024125
SILVERADO PREMIUM PROPERTIES II LLC	A024268A
SILVERADO PREMIUM PROPERTIES II LLC	A024268B
SILVERADO PREMIUM PROPERTIES II LLC	A024762A
SILVERADO PREMIUM PROPERTIES II LLC	A024762B
SILVERADO PREMIUM PROPERTIES LLC	A004977
SILVERADO PREMIUM PROPERTIES LLC	A013376
SILVERADO PREMIUM PROPERTIES LLC	A013811
SILVERADO PREMIUM PROPERTIES LLC	A014245
SILVERADO PREMIUM PROPERTIES LLC	A015399
SILVERADO PREMIUM PROPERTIES LLC	A021756
SMITH, MAUDRIE M	A029726
SOLANO COUNTY WATER AGENCY	USBR1316
SOUTH SUTTER WATER DISTRICT	A010221
SOUTH SUTTER WATER DISTRICT	A014430
SOUTH SUTTER WATER DISTRICT	A014804
SOUTH SUTTER WATER DISTRICT	A022102
SOUTH SUTTER WATER DISTRICT	A023838
SOUTH SUTTER WATER DISTRICT	A026162
SPANFELNER, C DAVID	A028513
SPANFELNER, C DAVID	A028514
SPANFELNER, GARY A	A025743
SPANFELNER, GARY A	A025744
SPANFELNER, GARY A	A028502
SPENCER, MICHAEL	A026144
STAUDENRAUS, ROBERT P	A022630
STEVENSON, JAMES J, A CORPORATION	A001730
STEVINSON WATER DISTRICT	A001885
STEVINSON WATER DISTRICT	A005724
STEVINSON WATER DISTRICT	A006111
STEVINSON WATER DISTRICT	A007012
STOCKTON EAST WATER DISTRICT	A006522
STOCKTON EAST WATER DISTRICT	USBR1247
STOCKTON EAST WATER DISTRICT	USBR1306
STONE CORRAL IRRIGATION DISTRICT	USBR1293
STONY CREEK WATER DISTRICT	A025261
STONY CREEK WATER DISTRICT	USBR1004
SUTTER EXTENSION WATER DISTRICT	A010529

In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.

Attachment 1: Petitioners for Reconsideration

Name	STATE WATER BOARD ID
SUTTER EXTENSION WATER DISTRICT	A011319
SUTTER EXTENSION WATER DISTRICT	A012230A
SUTTER EXTENSION WATER DISTRICT	A013349
SUTTER EXTENSION WATER DISTRICT	A014588
SUTTER EXTENSION WATER DISTRICT	A014665
SUTTER EXTENSION WATER DISTRICT	A015177
SUTTER EXTENSION WATER DISTRICT	A015178
SUTTER EXTENSION WATER DISTRICT	A015179
SUTTER EXTENSION WATER DISTRICT	A015587
SUTTER MUTUAL WATER COMPANY	A000581
SUTTER MUTUAL WATER COMPANY	A000878
SUTTER MUTUAL WATER COMPANY	A000879
SUTTER MUTUAL WATER COMPANY	A000880A
SUTTER MUTUAL WATER COMPANY	A001160
SUTTER MUTUAL WATER COMPANY	A001758
SUTTER MUTUAL WATER COMPANY	A001763
SUTTER MUTUAL WATER COMPANY	A001769
SUTTER MUTUAL WATER COMPANY	A001772
SUTTER MUTUAL WATER COMPANY	A003195
SUTTER MUTUAL WATER COMPANY	A007886
SUTTER MUTUAL WATER COMPANY	A009760
SUTTER MUTUAL WATER COMPANY	A010658
SUTTER MUTUAL WATER COMPANY	A011953
SUTTER MUTUAL WATER COMPANY	A012470A
SUTTER MUTUAL WATER COMPANY	A016677
SUTTER MUTUAL WATER COMPANY	USBR1191
SYCAMORE FAMILY TRUST	USBR1055
TEA POT DOME WATER DISTRICT	USBR1167
THOMES CREEK WATER DISTRICT	USBR1143
TRANQUILLITY PUBLIC UTILITY DISTRICT	USBR1095
UCC VINEYARDS GROUP (LISTED AS RIVERSIDE VINEYARDS)	A013269
UPSONDOWNS INC.	A026650
W P & R L WALLACE DBA WALLACE BROS	A011881
W P & R L WALLACE DBA WALLACE BROS	A023945
WALLACE BROTHERS	A025792
WALLACE BROTHERS	A025793
WALLACE, ROBERT L	A023946
WEST SACRAMENTO, CITY OF	USBR1010
WEST SIDE IRRIGATION DISTRICT	A000301
WEST SIDE IRRIGATION DISTRICT	USBR1263
WEST STANISLAUS IRRIGATION DISTRICT	A001987
WEST STANISLAUS IRRIGATION DISTRICT	USBR1016
WESTCAMP, JESSIE G, REVOCABLE TRUST	A023995
WESTLANDS WATER DISTRICT	A031153
WESTLANDS WATER DISTRICT	USBR1011
WESTLANDS WATER DISTRICT	USBR1088
WESTLANDS WATER DISTRICT	USBR1131
WESTLANDS WATER DISTRICT	USBR1185
WESTLANDS WATER DISTRICT	USBR1265
WESTLANDS WATER DISTRICT	USBR1273
WESTROPE RANCHES, LTD	A006582
WESTROPE RANCHES, LTD	A007989
WESTSIDE WATER DISTRICT	USBR1192
WOODBRIIDGE IRRIGATION DISTRICT	A005807

**In the Matter of the Petition for Reconsideration of the Northern California Water Association, et al.
Attachment 1: Petitioners for Reconsideration**

Name	STATE WATER BOARD ID
WOODBIDGE IRRIGATION DISTRICT	A010240
WOODBIDGE IRRIGATION DISTRICT	A012648
WOODBIDGE IRRIGATION DISTRICT	A027007
YUBA COUNTY WATER AGENCY	A002197
YUBA COUNTY WATER AGENCY	A003026
YUBA COUNTY WATER AGENCY	A005004
YUBA COUNTY WATER AGENCY	A005631
YUBA COUNTY WATER AGENCY	A005632
YUBA COUNTY WATER AGENCY	A009516
YUBA COUNTY WATER AGENCY	A010282
YUBA COUNTY WATER AGENCY	A015204
YUBA COUNTY WATER AGENCY	A015205
YUBA COUNTY WATER AGENCY	A015563
YUBA COUNTY WATER AGENCY	A015574
YUBA COUNTY WATER AGENCY	A029837